

REMARKS

Claims 1, 4-7, 9-12, 15-18, and 20-21 stand rejected under 35 U.S.C. § 112, first paragraph as failing to comply with the written description requirement. Claims 1, 4-7, 9-12, 15-18, and 20-21 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over United States Patent Number 5,757,571 to Basham et al. (hereinafter Basham) in view of United States Patent Number 6,031,798 to James et al. (hereinafter James).

Applicants thank the Examiner for the telephone interview of December 3, 2007. We discussed a proposed amendment. Applicants agreed to further limit the amendment by specifying the tape storage medium, and do so with this response.

Response to rejections of claims under 35 U.S.C. § 112, second paragraph.

Claims 1, 4-7, 9-12, 15-18, and 20-21 stand rejected under 35 U.S.C. § 112, second paragraph as being indefinite. Applicants have amended claims 1, 9, and 12 to remove “substantially” and submit that as amended claims 1, 9, and 12 are allowable under 35 U.S.C. § 112, second paragraph. Applicants further submit that claims 4-7, 10, 11, 15-18, and 20-21 are allowable under 35 U.S.C. § 112, second paragraph as depending from or referencing definite claims.

Amendments to the claims.

Applicants have amended claim 1 with the limitation “...the tape storage medium formatted with a serpentine recording path and divided into sixteen head index positions, each head index position including thirty-two tracks...” The amendment is fully supported by the specification. See page 12, ¶ 52, 53.

Applicants have further amended claim 1 with the limitation “...and to mark the tape storage medium as full...” The amendment is fully supported by the specification. See page 17, ¶ 64.

Claims 9 and 12 are similarly amended.

Response to rejections of claims under 35 U.S.C. § 103 (a).

Claims 1, 4-7, 9-12, 15-18, and 20-21 stand rejected under 35 U.S.C. § 103(a) as being

unpatentable over Basham in view of James. Applicants respectfully traverse this rejection.

Claims 1, 9, and 12 as amended include the limitation “...identify a tape storage medium as full when the user-defined capacity of the tape storage medium has been used to store the data and to mark the tape storage medium as full...” In contrast, Basham does not teach identifying a tape storage medium as full when the user-defined capacity of the tape storage medium has been used to store the data and to marking the tape storage medium as full.

In addition, James does not teach marking the tape storage medium as full. Because Basham and James do not teach all of the limitations of claims 1, 9, 12, and 20, Applicants submit that claims 1, 9, 12, and 20 are allowable and that claims 4-7, 10, 11, 15-18, and 21 are allowable as depending from allowable claims.

Conclusion

As a result of the presented remarks and amendments, Applicants submit that the application is in condition for prompt allowance. Should additional information be required regarding the traversal of the rejections of the claims enumerated above, Examiner is respectfully asked to notify Applicants of such need. If any impediments to the prompt allowance of the claims can be resolved by a telephone conversation, the Examiner is respectfully requested to contact the undersigned.

Respectfully submitted,

/Brian C. Kunzler/

Brian C. Kunzler
Reg. No. 38,527
Attorney for Applicant

Date: December 10, 2007
8 East Broadway, Suite 600
Salt Lake City, UT 84111
Telephone (801) 994-4646
Fax (801) 531-1929